



22

Attorney's Docket No.: 006507.P001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:

Alon Nachom

Serial No.: 09/487,354

Filed: January 18, 2000

For: COMMUNICATION ENHANCEMENT
MEANS

Examiner: Elisca, Pierre E.

Art Group: 3621

PETITION TO REVIVE AN ABANDONED APPLICATION
UNDER 37 C.F.R. 1.137(a)

Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

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Dear Sir:

In accordance with 37 C.F.R. 1.137(a), Applicant for the above-identified application respectfully petitions the Commissioner to revive the above-identified application under the provisions of 37 C.F.R. 1.137(a) on the ground that any delay in prosecution of the above-identified application was unavoidable.

Specifically, an Office Action having a mailing date of August 12, 2002 ("Office Action") was received which set forth a period for reply to expire three months from the mailing date or August 12, 2002. In response, Applicant filed a Revocation and Power of Attorney, Petition for Extension of Time pursuant to 37 C.F.R. §1.136(a) (three months), a check for \$630.00 made payable to the United States Patents and Trademarks Office, and an Amendment and Response to Office Action ("Response") to the indicated Office Action on February 12, 2003, in compliance with the statutory period set by the Office Action.

05/07/2003 AWONDAF1 00000146 022666 09487354

01 FC:2452
Adjustment date: 05/06/2003 AKELLEY
05/07/2003 AWONDAF1 00000146 022666 09487354
01 FC:2452 55.00 CR

To this end, Applicant has provided the following exhibits in support of Applicant's timely submission of the Response to the August 12, 2002 Office Action. As such, Exhibits 1 and 2, respectively, include a photocopy of a Return Receipt Postcard submitted with the Response on February 12, 2003, and a copy of the metered mailing envelope. In addition, Exhibits 3, 4 and 5, respectively, include a copy of the Transmittal Form (including a signed Certificate of Mailing dated February 12, 2003), a copy of Check No. 13073, dated February 12, 2003 and made payable to the Director of the United States Patents and Trademarks Office in the amount of \$639.00, as well as a copy of the Fee Transmittal, which reflects the three month extension fee of \$465.00 and the fee for additional claims in the amount of \$174.00. Likewise, the Revocation and Power of Attorney, Petition for Extension of Time, and Response are provided as Exhibits 6, 7 and 8, respectively. In addition, Exhibit 9 includes a signed Declaration of Susan Ocegeuda, as evidence of Applicant's exercise of due care in compliance with a standard business routine for ensuring successful receipt of correspondence transmitted to the U.S. Patent and Trademark Office (USPTO). Finally, Exhibit 10 is a copy of the front and back of processed Check No. 13073 which reflects that it was negotiated February 24, 2003 by the First Virginia, Falls Church, Virginia and endorsed by the Patent and Trademark Office for credit to the U.S. Treasury on February 21, 2003.

Unfortunately, the Return Receipt Postcard provided as Exhibit 1 was never received from the USPTO. Nevertheless, Applicant exercised a duty of care and diligence that is generally used and observed by prudent and careful businessmen in relation to their most important business in preparation of the Response, as well as placing the Response within the hands of the trustworthy U.S. Mail Service.

In accordance with MPEP § 711.03(c)(2), a reasonably prudent person's standard is utilized in determining if delay was unavoidable as follows:

The word unavoidable . . . is applicable to ordinary human affairs and requires no more or greater care or diligence than is generally used and observed by prudent and careful men in relation to their most important business. It permits them in the exercise of this care to rely upon the ordinary and trustworthy agencies of mail and telegraph, worthy and reliable employees and such other means and instrumentalities as are usually employed in such important business. If an unexpectedly or through the unseen fault or imperfection of these agencies and

instrumentalities there occurs a failure, it may properly be said to be unavoidable. All other conditions of promptness in its rectification being present generally the level of care exercised within patent prosecution utilizes a postcard as evidence of Patent Office receipt of any received documents by the U.S. Patent and Trademark Office. However, Applicants respectfully submit that the extensive docketing system utilized by patent professionals do not include docket entries to ensure receipt of enclosed postcards in order to verify that each document submitted to the U.S.P.T.O. is received within the required time lines in order to avoid abandonment. [Emphasis added.]

As is clearly exhibited by Exhibits 1-9, and, specifically, the signed Certificate of Mailing contained within Exhibit 3, Applicant dutifully complied with a business routine designed to ensure successful receipt of correspondence submitted to the USPTO. In other words, Applicant respectfully submits that no error occurred during performance of the business routine utilized to generate Exhibits 1-8 during preparation and submission of the Response by the February 12, 2003 deadline requested by the Office Action as evidenced by the signed declaration provided as Exhibit 9.

Yet, in spite of the Applicant's exercise of due care in prosecuting the above-identified application, the timely filed Response does not appear to have reached the Examiner of this case at the U.S. Patent and Trademark Office, although the check contained in the package was cashed by the USPTO. Consequently, the above-identified application was rendered abandoned as of February 13, 2003.

On March 7, 2003, Applicant was notified by the Examiner that the above-identified application was deemed abandoned for failure to prosecute the application during statutory period under MPEP § 711.02. In response, the above-arguments are provided to show that any failure to prosecute that above-identified application was unavoidable.

Accordingly, based on the arguments provided above, Applicant respectfully requests that the Examiner revive the above-identified application under 37 C.F.R. 1.137(a) on the ground that any delay in prosecuting the above-identified application was completely unavoidable. In addition, Applicant respectfully requests entry of the Response provided as Exhibit 8. Moreover, as the fact that the check contained in the


package was cashed by the U.S.P.T.O., supporting the assertion that the package did arrive and was subsequently lost at the U.S.P.T.O., the Applicant contends that a Petition fee is inappropriate for this case. However, if the Patent Office determines that a Petition fee is required to revive the above-identified application, please charge the petition fee of \$55.00 for unavoidable abandonment for a small entity to our Deposit Account No. 02-2666.

In the alternative, for at least the reasons provided above, any delay in prosecuting of the above-identified application is at least unintentional. Therefore, if the present Petition is rejected under 37 C.F.R. § 1.137(a), please charge any additional fees from our Deposit Account No. 02-2666 required to revive the above-identified application under 37 C.F.R. § 1.137(b) on the ground that any delay in prosecuting the above-identified application was completely unintentional.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

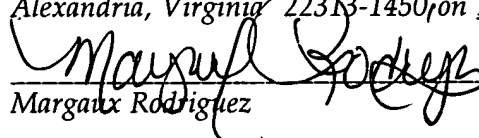
Date: May 1, 2003


Angeló J. Gaz, Reg. No. 45,907

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025
(310) 207-3800

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Commissioner for Patents, Mail Stop Petitions, Post Office Box 1450, Alexandria, Virginia 22313-1450, on May 1, 2003.


Margaux Rodriguez

May 1, 2003

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Application No.: 09/487,354 Filing Date: 01/18/2000 BSTZ Docket #: 006507.P001 Atty/Sec: IME/amo
Date Mailed: 02/12/2003 Docket Due Date(s): Client: Alan Nachom
Title COMMUNICATION ENHANCEMENT MEANS

Inventor(s) Nachom

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

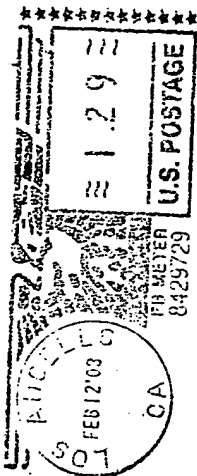
- | | |
|---|---|
| <input checked="" type="checkbox"/> Amendment: Response (<u>17</u> pgs) | <input type="checkbox"/> Information Disclosure Statement & PTO/SB/08 (<u> </u> pgs) |
| <input type="checkbox"/> Appeal Brief & two copies (<u> </u> pgs) | <input type="checkbox"/> Issue Fee Transmittal (original & copy) |
| <input type="checkbox"/> Application:
(<u> </u> pages w/ cover & abstract) | <input type="checkbox"/> Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i) |
| <input type="checkbox"/> Assignment & Cover Sheet (<u> </u> pgs) | <input type="checkbox"/> Notice of Appeal |
| <input checked="" type="checkbox"/> Certificate of Mailing | <input type="checkbox"/> Petition for: <u> </u> |
| <input type="checkbox"/> Continued Prosecution Application (CPA) | <input type="checkbox"/> Request for Continued Examination (RCE) |
| <input type="checkbox"/> Declaration & POA (<u> </u> pgs) | <input type="checkbox"/> Reply Brief (<u> </u> pgs) |
| <input type="checkbox"/> Drawings: <u> </u> sheets, <u> </u> figures | <input type="checkbox"/> Request to Rescind Previous Nonpublication Request |
| <input type="checkbox"/> Express Mail No: <u> </u> | <input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter |
| <input checked="" type="checkbox"/> Extension of Time: <u>three (3) months</u> | <input type="checkbox"/> Terminal Disclaimer |
| <input checked="" type="checkbox"/> Fee Transmittal (original & copy) | <input type="checkbox"/> Transmittal of Formal Drawings |
| <input checked="" type="checkbox"/> Other <u>Return Receipt Postcard (1)</u> | <input type="checkbox"/> Transmittal of Publication Fee Due |
| <u>Revocation and Power of Attorney (2 pgs)</u> | <input checked="" type="checkbox"/> Transmittal Letter |
| LA <u> </u> | <input checked="" type="checkbox"/> Check No. 13073 in the Amount of \$639.00 |
| Assignee: <u> </u> | <input type="checkbox"/> Check No. <u> </u> in the Amount of <u> </u> |

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EXHIBIT 1



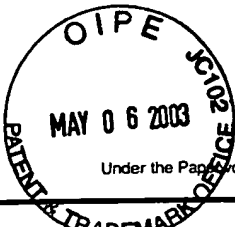
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BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
A LIMITED LIABILITY PARTNERSHIP INCLUDING LAW CORPORATIONS

12400 WILSHIRE BOULEVARD
SEVENTH FLOOR
LOS ANGELES, CALIFORNIA 90025-1030

BOX FEE AMENDMENT
ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

EXHIBIT 2



TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application No.	09/487,354	
	Filing Date	January 18, 2000	
	First Named Inventor	Alon Nachom	
	Group Art Unit	3621	
	Examiner Name	Pierre E. Elisca	
Total Number of Pages in This Submission	25	Attorney Docket Number	6507P001

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">-Return Receipt Postcard (1)</div>
Remarks		

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Angelo J. Gaz, Reg. No. 45,907 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	February 12, 2003

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail with sufficient postage in an envelope addressed to: Box Fee Amendment, Assistant Commissioner for Patents, Washington, D.C. 20231 on: February 12, 2003			
Typed or printed name	Susan M. Ocegueda		
Signature		Date	February 12, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

EXHIBIT 3

BLAKELY, SOKOLOFF, TAYLOR & [REDACTED] MAN, LLP

12400 WILSHIRE BLVD., 7TH FLOOR
WEST LOS ANGELES, CALIFORNIA 90025
(310) 207-3800

WELLS FARGO BANK

13073 13073

11-24
1210(8)

February 12, 2003

PAY SIX HUNDRED THIRTY-NINE & NO/100

DOLLARS \$ 639.00

TO
THE
ORDER
OF

Director of the United States
Patents and Trademarks Office

William V. Baffitt
AUTHORIZED SIGNATURE

⑈013073⑈ ⑆121000248⑆4165 174434⑈

THE SECURITY FEATURES ON THIS DOCUMENT INCLUDE A COLORED BACKGROUND, MICRO-PRINT SIGNATURE LINE, BLEED THRU NUMBERING, A TRUE WATERMARK AND VISIBLE FIBERS.

DETACH AND RETAIN THIS STATEMENT
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW.
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY NO RECEIPT DESIRED.

Invoice: 02/12/2003 Amount: 639.00
6507.P001
Alon Nachom
U.S. Patent and Trademark Office fee for Response to Office
Action and Petition for Extension of Time
AJG/smo

13073

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EXHIBIT 4



FEE TRANSMITTAL for EX 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$) 639.00

Complete if Known

Application Number 09/487,354
Filing Date January 18, 2000
First Named Inventor Alon Nachom
Examiner Name Pierre E. Elisca
Group/Art Unit 3621
Attorney Docket No. 6507P001

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METHOD OF PAYMENT (check one)

- ☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account

Deposit Account Number 02-2666

Deposit Account Name Blakely, Sokoloff, Taylor & Zafman LLP

The Commissioner is authorized to: (check all that apply)

- ☐ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	180	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
30	20	10	9.00
Independent Claims	5	3	2
Multiple Dependent			

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple Dependent claim, if not paid	
1204	84	2204	42	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$) 174.00

**or number previously paid, if greater, For Reissues, see below

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
2053	130	2053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920 *	1804	920 *	Requesting publication of SIR prior to Examiner action	
1805	1,840 *	1805	1,840 *	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	465.00
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1404	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	1809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					
* Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					(\$) 465.00

SUBMITTED BY

Complete (if applicable)

Name (Print/Type) Angelo J. Gaz
Registration No. (Attorney/Agent) 45,907
Telephone (310) 207-3800
Signature [Signature]
Date 02/12/03

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application to the USPTO. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

EXHIBIT 5

Richard A. Nakashima, Gregg A. Peacock, William F. Ryann, Jeffrey S. Schubert and John F. Travis admitted to practice in all the Courts of the State of Texas; Robert P. Cogan admitted to practice in all the Courts of the District of Columbia and the States of Massachusetts, Ohio and Texas; Kerry D. Tweet admitted to practice in all the Courts of the State of Utah; Todd M. Becker and Lance A. Termes admitted to practice in all the Courts of the State of Washington; Alan R. Burnett admitted to practice in all the Courts of the States of Oregon and Washington; Donna Coningsby admitted to practice in all the Courts of the States of Massachusetts, New York, Oregon and Washington; Jan Little admitted to practice in all the Courts of the District of Columbia and the State of Washington; Florin Corie admitted to practice in all the Courts of the State of Wisconsin with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the Certificate of Registration and to transact all business in the Patent and Trademark Office connected therewith.

Please direct all communications concerning this Application to:

Thomas M. Coester, Esq.
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN
12400 Wilshire Boulevard, Seventh Floor
Los Angeles, California 90025-1030
(310) 207-3800

Date: 2-7-03

By: 
Name: Alon Nachom

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OFFICE OF PETITIONS

423

Docket No.: 6507P001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

ALON NACHOM

Application No.: 09/487,354

Filed: January 18, 2000

For: COMMUNICATION ENHANCEMENT MEANS

Art Group: 3621

Examiner: Pierre E. Elisca

PETITION FOR EXTENSION OF TIME PURSUANT TO 37 C.F.R. § 1.136(a)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

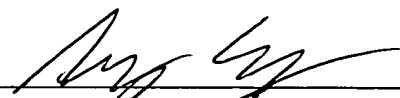
In accordance with 37 C.F. R. § 1.136(a), the Applicant for the above-identified application respectfully Petitions the Commissioner for a three (3) month extension of time, extending the period for response to February 12, 2003, from the Office Action dated August 12, 2002. A check for \$465.00 (petition filing fee) is attached.

If it should be determined that a longer extension of time is required to prevent this application from being abandoned, please charge any additional fees to Deposit Account No. 02-2666. A copy of the Fee Transmittal is enclosed for deposit account charging purposes.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP


Date: February 12, 2003


Angelo J. Gaz, Reg. No. 45,907

12400 Wilshire Blvd., 7th Floor
Los Angeles, California 90025
Telephone: (310) 207-3800

CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail with sufficient postage in an envelope addressed to: Box Fee Amendment, Assistant Commissioner for Patents, Washington, D.C. 20231 on: February 12, 2003.


Susan M. Ocegueda

02-12-03

Date

EXHIBIT 7

requesting a second set of electronic information to be displayed to the user from the second source on the network, wherein the second set of electronic information comprises information identifying a second transaction to be made;

{ providing data to display to the user a visual representation of the second set of electronic information as though originating from the first source; and }

accepting a transaction authorization directed to the first source for the second transaction.

22. The method of claim 21, wherein the transaction authorization comprises a user authorization to share the transaction data with the second source.

23. The method of claim 21, wherein routing the transaction data comprises autonomously communicating with the second source without the user's knowledge.

24. The method of claim 21, wherein the transaction authorization comprises a request to the user for additional transaction data to effect a sale of a second product or service.

25. The method of claim 21, further comprising obtaining a third set of electronic information to be displayed to the user from the second source as though originating from the first source, wherein the third set of electronic information comprises billing and shipping information to be confirmed by the user.

26. The method of claim 21, wherein the transaction data includes information identifying at least one of a first product or service to be purchased, a method of payments, and billing information.

27. The method of claim 26, wherein the billing information comprises at least one of a billing address, a user's name, an email address, a method of payment, and billing account information.

28. The method of claim 26, further comprising the second source:

32. The system of claim 30, further comprising code to accept identification of the second set of information as determined by the second source.

33. The system of claim 30, wherein the second set of information comprises information related to the first set of information.

34. The system of claim 30, wherein accepting transaction data to effect the first transaction comprises at least one of a sales transaction, information identifying a product or service to be purchased, and billing information.

35. The system of claim 30, wherein the notifying, obtaining from the second source, and forwarding the transaction data are to occur in real time.

36. The system of claim 30, wherein the user assent to share the transaction data with a second source comprises a user selection action.

37. An article of manufacture comprising:

a machine-readable medium having data therein which when accessed by a processor causes a computer to obtain a first set of information from a first source on a network, wherein the first set of information comprises information identifying a first product or service to be purchased;

display the first set of information to a user as provided from a first source;
accept billing information from the user needed to pay for a sale of the first product or service;

obtain a second set of information from a second source on the network, without further user action and without the user's knowledge of the obtaining a second set of information, wherein the second set of information comprises information identifying a second product or service to be purchased;

display the second set of information to a user as provided from the first source;

accept a purchase authorization directed to the first source for the second product or service, wherein the purchase authorization comprises a user authorization to share the billing information with a second source; and

forward the billing information to the second source.

38. The article of manufacture of claim 37, wherein obtaining the second set of information comprises storing a previously transmitted second set of information in a database at the first source.

39. The article of manufacture of claim 37, further comprising data to cause a computer to identify the second set of information based on one of a user selection action and an association with the first set of information.

40. The article of manufacture of claim 37, wherein the displaying the second set of information comprises displaying the second set of information in one of a pop-up screen, a banner advertisement, a link to a source, and an embedded display of information embedded into the text and graphics of the displayed first set of information.

41. The article of manufacture of claim 37, wherein said first source is a first information window at a first system address and said second source is at a second system.

42. A system comprising:

a processor;

a memory coupled to said processor and containing code which when executed obtains from an associated first source a first set of information to be displayed to a user, wherein the first set of information comprises information identifying a first transaction;

accepts transaction data from the user to effect the first transaction;

notifies an associated second source of the first transaction;

obtains from the associated second source, data to display to the user a visual representation of a second set of information identifying a second transaction; and

forwards the transaction data to the second source.

43. The system of claim 42, further comprising code to obtain user assent to share the transaction data with the second source, and wherein notifying an associated second source and obtaining from the associated second source comprise autonomously communicating with the associated second source without the user's knowledge.

44. The system of claim 42, further comprising code to receive an actuation means to forward the transaction data to the associated second source in a secure fashion.

45. A method comprising:

providing a first set of information to be displayed to a user, wherein the first set of information comprises information identifying a first transaction associated with a first source;

accepting transaction data from the user to effect the first transaction; and

providing data to be displayed to the user and that contains a second set of information obtained from a second source and that identifies a second transaction.

46. The method of claim 45, further comprising forwarding the transaction data to the second source.

47. The method of claim 45, further comprising notifying an associated second source of the first transaction comprising autonomously communicating with the second source without the user's knowledge.

48. The method of claim 45, wherein the second set of information comprises a previously stored second set of information in a database at the first source.

49. The method of claim 45, wherein the data to be displayed comprises data to be displayed without the user's knowledge of an origin of the second set of information and as though the second set of information originated from the first source.

50. The method of claim 45, further comprising selecting the second source from a plurality of second sources and selecting the second set of information from a plurality of second sets of information.

REMARKS

Claims 1-20 were examined and stand rejected. Applicant cancels Claims 1-20 and submits additional claims 21-50 for consideration. Applicant reserves the right to prosecute the former claims in a divisional or a continuation application. Applicant contends that no new matter has been added herein, and that additional claims 21-50 are fully disclosed in the Specification. Applicant respectfully requests consideration of additional claims 21-50 in view of at least the following remarks.

Attached hereto is a marked up version of the changes made to the claims by the current amendment. The attachment is captioned, "Version With Markings to Show Changes Made."

I. Claims Rejected Under 35 U.S.C. §103

The Patent Office rejects claims 1-9, 12-15 and 18-19 under 35 U.S.C. §103(a) as being unpatentable over Ronen, et al. ("Ronen"), U.S. Patent No. 5,905,736 in view of Conklin, et al. ("Conklin"), U.S. Patent No. 6,141,653. This rejection is moot as Applicant has cancelled Claims 1-20.

The Patent Office rejects claims 16 and 20 under 35 U.S.C. §103(a) as being unpatentable over Ronen in view of the obviousness statement is applied to Claim 12 and Claim 18 above, and further in view of Dworkin ("Dworkin"), U.S. Patent No. 4,992,940. This rejection is also moot since Claim 16 and Claim 20 have been cancelled.

II. Additional Claims

The Applicant will now address the references cited by the Patent Office as mentioned above with respect to the additional claims. To render a claim obvious, all elements of the claim must be taught or suggested by at least one properly combined reference of the combination. Ronan teaches a credit card billing system for transmitting credit card information between a computer and a centralized billing server over the internet. The centralized billing server sends back a status denying or confirming whether the credit card information provides authorization for an order.

Conklin describes multi-variate negotiations over a network to create and administer a community between participants such as, buyers and sellers that allows a participant to search and evaluate seller information, propose and negotiate orders and counter offers. For example, Conklin discloses video conferencing and other multi-media techniques added to the multi-variate negotiations.

Dworkin teaches a computer linked to database to assist a user in locating and purchasing goods or services sold by a plurality of vendors.

Applicant respectfully submits that independent Claim 24 is not unpatentable over the cited references above for at least the reason that the cited references do not teach, suggest, or describe "providing data to display to the user a visual representation of the second set of electronic information as though originating from the first source; and accepting a transaction authorization directed to the first source for the second transaction," as required by independent Claim 21.

Applicant respectfully submits that independent Claim 30 is not unpatentable over the cited references for at least the reason that the cited references do not teach, suggest, or describe "code which when executed:...obtains from the second source on the network, data to display to the user a visual representation of a second set of

information identifying a transaction as though originating from the first source;...wherein notifying a second source and obtaining from the second source comprise autonomously communicating with the second source without the users knowledge," as required by independent Claim 30.

Applicant respectfully submits that independent Claim 37 is not unpatentable over the cited references for at least the reason that the cited references do not teach, suggest, or describe "data therein which when accessed by a processor causes a computer to:...obtain a second set of information from a second source on the network without further user action and without the users knowledge of obtaining a second set of information, wherein the second set of information comprises information identifying a second product or service to be purchased; display the second set of information to a user as provided from the first source," as required by independent Claim 37.

Applicant respectfully submits that independent Claim 42 is not unpatentable over the cited references for at least the reason that the cited references do not teach, suggest, or describe "code which when executed:...notifies an associated second source of the first transaction; obtains from the associated second source, dated to display to the user a visual representation of a second of information identifying a second transaction; and forwards the transaction dated to the second source," as required by independent Claim 42.

Applicant respectfully submits that independent Claim 45 is not unpatentable over the cited references for at least the reason that the cited references do not teach, suggest, or describe "providing data to be displayed to the user and that contains a second set of information obtained from a second source and that identifies a second transaction," as required by independent Claim 45.

In addition, the Applicant respectfully traverses that the following assertions are within the ordinary skill in the art, and if the Patent Office intends to continue these assertion requests that the Patent Office cite a reference in support of these positions, in accordance with MPEP §2144.03. The Applicant respectfully traverses that "it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide client the related product that is similar to the one the client purchases for generating more sales," as stated on page 8 of the Office Action.

Second, the Applicant traverses that "it would have been obvious to one of ordinary skill in the art at the time the invention was to use the recommending system of suggesting related product to the user and request the information from the source for additional sales," as stated on page 8 of the rejection.

Third, the Applicant traverses that "it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the obviousness statement to transferring personal information of said user from first source to said second source when the client decided to make the purchase from the second source to Ronan's central billing by giving the client a choice to be billed by the second source instead of the central bill but without repeating the billing information to each ISP whenever a client makes a purposes," as recited on page 8 of the rejection.

Finally, Applicant traverses that "it is obvious to recognize that a server is needed in order to perform product or service requests from the client or user over the Internet," as recited in the Remarks section on page 10 of the rejection.

III. Dependent Claims

Applicant respectfully submits that Claims 22-29, 31-36, 38-41, 43-44, 46-50 being dependent on independent claims 21, 30, 37, 42, and 45 are also allowable for at least the foregoing reasons stated above with respect to those independent claims.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending are now in condition for allowance and such action is earnestly solicited at the earliest possible date. If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. Questions regarding this matter should be directed to the undersigned at (310) 207-3800.

Respectfully submitted

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN LLP

Dated: February 12, 2003

By: _____

Angelo J. Gaz
Reg. No. 45,907

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025
(310) 207-3800

CERTIFICATE OF MAILING:

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail with sufficient postage in an envelope addressed to: Box Fee Amendment, Assistant Commissioner for Patents, Washington, D.C. 20231 on February 12, 2003.

Susan M. Ocegueda
Susan M. Ocegueda

2/12/03
Date

Attachment: Version with Markings to Show Changes Made

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VERSION WITH MARKINGS TO SHOW CHANGES MADE
IN THE CLAIMS

Claims 21-50 have been added.

21. (New) A method comprising:

obtaining a first set of electronic information to be displayed to a user from a first source on a network, wherein the first set of electronic information comprises information identifying a first transaction to be made;

accepting transaction data to effect the first transaction;

routing the transaction data to a second source;

requesting a second set of electronic information to be displayed to the user from the second source on the network, wherein the second set of electronic information comprises information identifying a second transaction to be made;

providing data to display to the user a visual representation of the second set of electronic information as though originating from the first source; and

accepting a transaction authorization directed to the first source for the second transaction.

22. (New) The method of claim 21, wherein the transaction authorization comprises a user authorization to share the transaction data with the second source.

23. (New) The method of claim 21, wherein routing the transaction data comprises autonomously communicating with the second source without the user's knowledge.

24. (New) The method of claim 21, wherein the transaction authorization comprises a request to the user for additional transaction data to effect a sale of a second product or service.

25. (New) The method of claim 21, further comprising obtaining a third set of electronic information to be displayed to the user from the second source as though

originating from the first source, wherein the third set of electronic information comprises billing and shipping information to be confirmed by the user.

26. (New) The method of claim 21, wherein the transaction data includes information identifying at least one of a first product or service to be purchased, a method of payments, and billing information.

27. (New) The method of claim 26, wherein the billing information comprises at least one of a billing address, a user's name, an email address, a method of payment, and billing account information.

28. (New) The method of claim 26, further comprising the second source:
recording the transaction authorization;
storing the billing information;
and then processing an order to fulfill the transaction authorization for the second transaction to the user.

29. (New) The method of claim 21, wherein the transaction authorization comprises an explicit authorization to order a second product or service.

30. (New) A system comprising:
a processor;
a memory coupled to said processor and containing code which when executed;
obtains from a first source on a network a first set of information to be displayed to a user, wherein the first set of information comprises information identifying a first transaction;
accepts transaction data from the user to effect the first transaction;
notifies a second source of the first transaction;

obtains from the second source on the network, data to display to the user a visual representation of a second set of information identifying a transaction as though originating from the first source;

obtains user assent to share the transaction data with the second source;

forwards the transaction data to the second source; and

wherein notifying a second source and obtaining from the second source comprise autonomously communicating with the second source without the user's knowledge.

31. (New) The system of claim 30, further comprising code to accept a user transaction authorization directed to the first source for the second transaction.

32. (New) The system of claim 30, further comprising code to accept identification of the second set of information as determined by the second source.

33. (New) The system of claim 30, wherein the second set of information comprises information related to the first set of information.

34. (New) The system of claim 30, wherein accepting transaction data to effect the first transaction comprises at least one of a sales transaction, information identifying a product or service to be purchased, and billing information.

35. (New) The system of claim 30, wherein the notifying, obtaining from the second source, and forwarding the transaction data are to occur in real time.

36. (New) The system of claim 30, wherein the user assent to share the transaction data with a second source comprises a user selection action.

37. (New) An article of manufacture comprising:

a machine-readable medium having data therein which when accessed by a processor causes a computer to obtain a first set of information from a first source on a

network, wherein the first set of information comprises information identifying a first product or service to be purchased;

display the first set of information to a user as provided from a first source;

accept billing information from the user needed to pay for a sale of the first product or service;

obtain a second set of information from a second source on the network, without further user action and without the user's knowledge of the obtaining a second set of information, wherein the second set of information comprises information identifying a second product or service to be purchased;

display the second set of information to a user as provided from the first source;

accept a purchase authorization directed to the first source for the second product or service, wherein the purchase authorization comprises a user authorization to share the billing information with a second source; and

forward the billing information to the second source.

38. (New) The article of manufacture of claim 37, wherein obtaining the second set of information comprises storing a previously transmitted second set of information in a database at the first source.

39. (New) The article of manufacture of claim 37, further comprising data to cause a computer to identify the second set of information based on one of a user selection action and an association with the first set of information.

40. (New) The article of manufacture of claim 37, wherein the displaying the second set of information comprises displaying the second set of information in one of a pop-up screen, a banner advertisement, a link to a source, and an embedded display of information embedded into the text and graphics of the displayed first set of information.

41. (New) The article of manufacture of claim 37, wherein said first source is a first information window at a first system address and said second source is at a second system.

42. (New) A system comprising:

- a processor;

- a memory coupled to said processor and containing code which when executed obtains from an associated first source a first set of information to be displayed to a user, wherein the first set of information comprises information identifying a first transaction;

- accepts transaction data from the user to effect the first transaction;

- notifies an associated second source of the first transaction;

- obtains from the associated second source, data to display to the user a visual representation of a second set of information identifying a second transaction; and

- forwards the transaction data to the second source.

43. (New) The system of claim 42, further comprising code to obtain user assent to share the transaction data with the second source, and wherein notifying an associated second source and obtaining from the associated second source comprise autonomously communicating with the associated second source without the user's knowledge.

44. (New) The system of claim 42, further comprising code to receive an actuation means to forward the transaction data to the associated second source in a secure fashion.

45. (New) A method comprising:

providing a first set of information to be displayed to a user, wherein the first set of information comprises information identifying a first transaction associated with a first source;

accepting transaction data from the user to effect the first transaction; and

providing data to be displayed to the user and that contains a second set of information obtained from a second source and that identifies a second transaction.

46. (New) The method of claim 45, further comprising forwarding the transaction data to the second source.

47. (New) The method of claim 45, further comprising notifying an associated second source of the first transaction comprising autonomously communicating with the second source without the user's knowledge.

48. (New) The method of claim 45, wherein the second set of information comprises a previously stored second set of information in a database at the first source.

49. (New) The method of claim 45, wherein the data to be displayed comprises data to be displayed without the user's knowledge of an origin of the second set of information and as though the second set of information originated from the first source.

50. (New) The method of claim 45, further comprising selecting the second source from a plurality of second sources and selecting the second set of information from a plurality of second sets of information.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:

Alon Nachom

Serial No.: 09/487,354

Filed: January 18, 2000

For: COMMUNICATION ENHANCEMENT
MEANS

Examiner: Elisca, Pierre E.

Art Group: 3621

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DECLARATION OF SUSAN OCEGUEDA UNDER C.R.F. §1.68

Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

I, Susan Ocegueda, declare as follows:

1. I am a secretary with the firm Blakely, Sokoloff, Taylor & Zafman LLP (hereinafter referred to as "BSTZ").
2. In connection with the above-identified pending patent application, on February 12, 2003, I received a signed Amendment and Response ("Response") to an Office Action having a mailing date of August 12, 2002 ("Office Action"), which set a statutory period for reply set to expire three months from the mailing date. In conjunction with the signed Response, I also received a signed Transmittal Form, a Fee Transmittal (in duplicate), a Petition for Extension of Time of three months, a check in the amount of \$630.00 (to pay the three month extension fee of \$465.00 and the additional claims fee of \$174.00) made payable to the Director of the United States Patents and Trademarks Office, and a Revocation and Power of Attorney. The

EXHIBIT 9

Response, the Fee Transmittal, and the Transmittal Form were each signed by Angelo J. Gaz, an associate with BSTZ. The check was signed by William Thomas Babbitt, a partner of BSTZ.

3. In response to receipt of the documents set forth in Item 2, above, I signed and dated the Certificate of Mailing contained within the Transmittal Form and affixed the mailing true and correct mailing date of February 12, 2003.

4. Following my signing of the Certificate of Mailing contained within the Transmittal Form, I prepared a Return Receipt Postcard, as well as a post office package containing the documents set forth in Item 2, above. The post office package was affixed with the following address:

Box Fee Amendment
Assistant Commissioner for Patents
Washington, D.C. 20231

5. Once the post office package was complete, I placed the Return Receipt Postcard, the signed Transmittal Form, the signed Fee Transmittal (in duplicate), the signed Petition for Extension, the signed Response, the signed check for \$630.00, and the executed Revocation and Power of Attorney within the post office package.


6. On February 12, 2003, each of the aforementioned items were placed in the post office package and the post office package was sealed and affixed with a postage label of \$1.29. Once the aforementioned items were sealed within the post office package, I certified that the post office package was deposited as First Class mail with sufficient postage into a U.S. Postal Service mail box at the following address:

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025-1030

7. I hereby declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section

1001, Title 18 of the United States Code, and that such willful and false statements may jeopardize the validity of the application or any registration issues thereon.

Dated: May 1, 2003



Susan Ocegueda
Declarant

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